

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**JOHNNY RAY JOHNSON,**

**ID #483120,**

**Petitioner,**

**vs.**

**RICK THALER, Director,**

**Texas Department of Criminal**

**Justice, Correctional Institutions Division,**

**Respondent.**

**No. 3:10-CV-0147-M-BH**

**Referred to U.S. Magistrate Judge**

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge for plain error, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the Court hereby **TRANSFERS** plaintiff's petition for habeas corpus to the United States Court of Appeals for the Fifth Circuit pursuant to *Henderson v. Haro*, 282 F.3d 862, 864 (5th Cir. 2002) and *In re Epps*, 127 F.3d 364, 365 (5th Cir. 1997).

**SIGNED this 26<sup>th</sup> day of July, 2010.**



BARBARA M. G. LYNN

UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS